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11 Attorneys for Plaintiff
12 United States of America

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14 IN THE UNITED STATES DISTRICT COURT
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16 EASTERN DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA,
18 Plaintiff,
19 v.
20 MICHAEL GARCIA, ET AL.,
21 Defendants.

22 CASE NO. 2:20-CR-00181-JAM
23 STIPULATION REGARDING EXCLUDABLE
24 TIME PERIODS UNDER SPEEDY TRIAL ACT;
25 FINDINGS AND ORDER
26 DATE: February 28, 2023
27 TIME: 9:00 a.m.
28 COURT: Hon. John A. Mendez

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30 **STIPULATION**

31 1. By previous order, this matter was set for status on February 28, 2023.
32 2. By this stipulation, defendants now move to continue the status conference until April 25,
33 2023, at 9:00 AM, and to exclude time between February 28, 2023, and April 25, 2023, under Local
34 Code T4.
35 3. The parties agree and stipulate, and request that the Court find the following:
36 a) The government has represented that the discovery associated with this case
37 includes over 50 gigabytes of evidence in electronic form, including multiple hours of covert
38 recordings, pictures, investigative reports, and related documents. All of this discovery has been
39 either produced directly to counsel and/or made available for inspection and copying.
40 b) Counsel for defendants require additional time to review the discovery,
41 investigate any possible defenses, research potential pretrial motions, explore potential

1 resolutions to the case, and otherwise prepare for trial. The parties are continuing their efforts on
2 plea negotiations. Finally, counsel for defendants need additional time to prepare mitigation
3 materials.

4 c) Counsel for defendants believes that failure to grant the above-requested
5 continuance would deny them the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 d) The government object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of February 28, 2023 to April 25,
13 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
14 T4] because it results from a continuance granted by the Court at defendant's request on the basis
15 of the Court's finding that the ends of justice served by taking such action outweigh the best
16 interest of the public and the defendant in a speedy trial.

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2 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
3 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
4 must commence.

5 IT IS SO STIPULATED.

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7 Dated: February 17, 2023

PHILLIP A. TALBERT
United States Attorney

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9 Dated: February 15, 2023

/s/ ADRIAN T. KINSELLA
ADRIAN T. KINSELLA
Assistant United States Attorney

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11 Dated: February 16, 2023

/s/ HOOTAN BAIGMOHAMMADI
HOOTAN BAIGMOHAMMADI
Counsel for Defendant
MICHAEL GARCIA

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13 Dated: February 16, 2023

/s/ MICHAEL D. LONG
MICHAEL D. LONG
Counsel for Defendant
NANCY GARCIA

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18 ORDER

19 IT IS SO FOUND AND ORDERED this 23rd day of February, 2023.

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21 /s/ John A. Mendez
22 THE HONORABLE JOHN A. MENDEZ
23 SENIOR UNITED STATES DISTRICT JUDGE
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